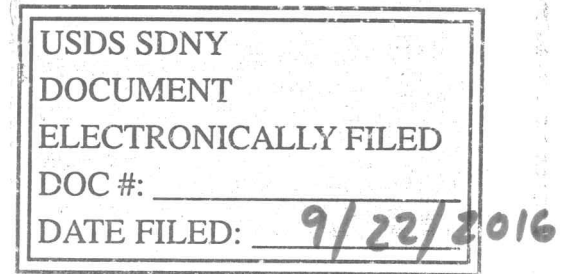
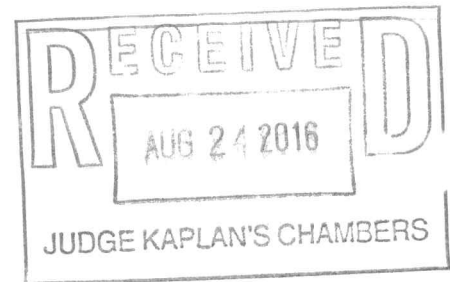


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JUDGE KAPLAN

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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

TELEBRANDS CORP.,

Plaintiff,

v.

AS SEEN ON TV, INC., TV GOODS, INC.,
 BOB DECECCO, RON RULE, XYZ
 CORPORATIONS 1-10, and JANE AND
 JOHN DOES 1-10,

Defendants.

Civil Action No.

**~~[PROPOSED]~~ ORDER TO SHOW
 CAUSE ~~AND ORDER~~ FOR
 EXPEDITED DISCOVERY IN
 AID OF PRELIMINARY
 INJUNCTION**

The Court having reviewed the Verified Complaint of Plaintiff Telebrands Corp. ("Plaintiff"), the Declaration of David S. Stone, and Plaintiff's Memorandum of Law in Support of its Application for Expedited Discovery in Aid of Preliminary Injunction, and for other good and sufficient reason appearing to me therefore, it is hereby:

~~ORDERED that Plaintiff's request for expedited discovery is GRANTED and parties shall conduct reciprocal expedited discovery as follows:~~

~~Plaintiffs shall serve their discovery requests (including any deposition notices or other discovery permitted by Rule 26 of the Federal Rules of Civil Procedure) on~~

Defendants (and Defendants shall serve any reciprocal discovery requests) within _____ days of the entry of this Order; and

Defendants shall respond to Plaintiff's written expedited discovery requests, limited as to all parties for purposes of this order to requests for production of documents and interrogatories, within _____ days of receipt of Plaintiff's discovery requests.

In addition, Plaintiff and Defendants may conduct such discovery as is reasonably necessary to develop evidence in connection with Plaintiff's preliminary injunction application.

If the parties cannot agree upon appropriate time frames for responding to such discovery requests, the Court shall establish them by separate order.

It is further ORDERED that Plaintiff shall file a brief in support of its application for a preliminary injunction within thirty (30) days of the entry of this order, and it is further

ORDERED that Defendants' responsive papers to the application for a preliminary injunction shall be filed within _____ days of receipt of Plaintiff's brief, and Plaintiff's reply papers, if any, shall be filed within _____ days of receipt of Defendants' opposition papers, and it is further

ORDERED that Defendants show cause before this Court at a hearing in Courtroom 21B, United States Courthouse 500 Pearl St, New York, NY on Sept 27, 2016, at 2:00 pm why an order should not be entered pursuant to Fed. R. Civ. P. 65 granting plaintiff's motion for a preliminary injunction enjoining Defendants, pending resolution of this matter, from:

expedited discovery.

1. operating the e-commerce platform located at the primary domain seenontv.com (the “New Website”) (at any domain, including its current primary domain seenontv.com) because it causes or may cause confusion or mistake as to the origin of “As Seen On TV” products, may deceive the public as to believing Defendants’ products originate from Plaintiff, or that there is any affiliation or connection between Defendants and Plaintiff;
2. using in commerce Defendants’ “As Seen On TV” trademark (the “New Trademark”) and any other mark similar to Plaintiff’s “As Seen On TV” Trademark, because it causes or may cause confusion or mistake as to the origin of “As Seen On TV” products, may deceive the public as to believing Defendants’ products originate from Plaintiff, or that there is any affiliation or connection between Defendants and Plaintiff;
3. using in commerce “As Seen On TV”-related internet search engine keywords and terms because they cause or may cause confusion or mistake as to the origin of “As Seen On TV” products, may deceive the public as to believing Defendants’ products originate from Plaintiff, or that there is any affiliation or connection between Defendants and Plaintiff; and
4. selling the “Copper Pro Pan” on the New Website (it is not marketed, promoted, and sold on television) because it causes or may cause confusion or mistake as to the origin of “As Seen On TV” products, may deceive the public as to believing Defendants’ products originate from Plaintiff, or that there is any affiliation or connection between Defendants and Plaintiff.



It is further ORDERED that any opposition papers shall be filed at N.Y. before 5 pm on Sept. 26, 2016.

It is further ORDERED that security in the amount of \$ _____ be posted by Plaintiff prior to _____, 2016, at _____ o'clock in

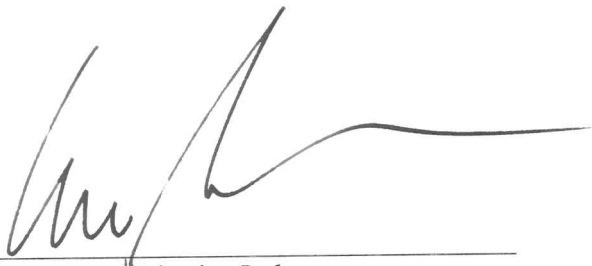
the _____ noon of that day; and it is further

ORDERED that no later than Sept. 23, 2016, Plaintiff shall serve a

copy of this Order, in lieu of summons, and supporting papers, along with the Verified Complaint, upon Defendants by _____, which shall constitute

sufficient service and notice thereof.

Dated: Sept. 22, 2016
New York, NY


United States District Judge

